

Historic, archived document

Do not assume content reflects current scientific knowledge, policies, or practices.



345

**UNITED STATES
DEPARTMENT OF AGRICULTURE**

RULES AND REGULATIONS

**OF THE
SECRETARY OF AGRICULTURE
FOR THE**

**MANAGEMENT AND CONTROL
OF CENTER MARKET**

EFFECTIVE JUNE 1, 1923

(REVISED FEBRUARY 9, 1926)



BUREAU OF AGRICULTURAL ECONOMICS

Service and Regulatory Announcements No. 74

UNITED STATES DEPARTMENT OF AGRICULTURE
BUREAU OF AGRICULTURAL ECONOMICS

Service and Regulatory Announcements No. 74
(Agricultural Economics)

RULES AND REGULATIONS
OF THE
SECRETARY OF AGRICULTURE
FOR THE
MANAGEMENT AND CONTROL
OF CENTER MARKET

EFFECTIVE JUNE 1, 1923
(REVISED FEBRUARY 9, 1926)



WASHINGTON
GOVERNMENT PRINTING OFFICE

1926

ORDER ADOPTING RULES AND REGULATIONS FOR THE MANAGEMENT AND CONTROL OF CENTER MARKET, WASHINGTON, D. C.

UNITED STATES DEPARTMENT OF AGRICULTURE,
WASHINGTON, D. C.

By virtue of the authority vested in the Secretary of Agriculture by the act of March 4, 1921 (41 Stat. 1441), I, W. M. Jardine, Secretary of Agriculture, do make and publish the following rules and regulations for the management and control of the grounds, buildings, and improvements on reservation numbered seven in the District of Columbia, to be in force and effect on and after the 1st day of February, 1926, and which shall supersede all prior rules and regulations promulgated for the same purpose.

In testimony whereof I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, District of Columbia, this 9th day of February, 1926.



W M Jardine

Secretary of Agriculture.

83804—26

(II)

RULES AND REGULATIONS OF THE SECRETARY OF AGRICULTURE FOR THE OPERATION AND CONTROL OF CENTER MARKET

Regulation 1.—DEFINITIONS

SECTION 1. Words used in these regulations in the singular form shall be deemed to import the plural and vice versa, as the case may demand.

SEC. 2. For the purpose of these regulations, unless the context otherwise requires, the following terms shall be construed respectively to mean—

Paragraph 1. The act: Public No. 399, 66th Congress, approved March 4, 1921 (41 Stat., 1441).

Paragraph 2. Secretary: The Secretary of Agriculture of the United States.

Paragraph 3. Person: An individual, corporation, partnership, or two or more persons having a joint or common interest.

Paragraph 4. Regulations: Rules and regulations made under the act by the Secretary.

Paragraph 5. The bureau: The Bureau of Agricultural Economics of the United States Department of Agriculture.

Paragraph 6. Center Market: Reservation No. 7 of the District of Columbia and all grounds, buildings, and improvements located thereon and appurtenances thereto, as held and occupied by the Washington Market Company and its tenants on March 4, 1921.

Paragraph 7. Superintendent: The person designated by the Secretary of Agriculture to act as superintendent of Center Market.

Regulation 2.—ADMINISTRATION

SECTION 1. The chief of the Bureau of Agricultural Economics is charged with the supervision of the enforcement of the act and these regulations and such orders as may be made from time to time by the Secretary relating to Center Market.

SEC. 2. The superintendent shall have full and immediate supervision and control over the grounds, buildings, and improvements and appurtenances thereto comprising Center Market, and it shall be his duty to enforce all rules and regulations prescribed and promulgated by the Secretary for the use, occupancy, and control of Center Market.

Regulation 3.—MARKET HOURS

SECTION 1. Market stands in Center Market will be open every day except Sundays, legal holidays, and except on such extraordinary occasions as may be designated by the superintendent.

SEC. 2. The following hours of trading will be observed in Center Market:

From April 1 to October 31, 5.30 a. m. to 5.00 p. m., except Saturdays, when the closing hour will be 9.00 p. m., unless Saturday is a legal holiday, when the closing hour will be 11.00 a. m.; and on Wednesdays from June 15 to September 15, when the closing hour will be 1.00 p. m.

From November 1 to March 31, 6.00 a. m. to 5.00 p. m., except Saturdays, when the opening hour will be 5.30 a. m. and the closing hour will be 9.00 p. m., unless Saturday is a legal holiday, when the closing hour will be 11.00 a. m.

On the day preceding a legal holiday which does not fall on Saturday, the market will be open until 9.00 p. m.

The superintendent is authorized to make temporary changes in these hours to meet special conditions.

SEC. 3. Signal bells will be rung 30 minutes before the doors are closed and when the doors are closed.

Regulation 4.—APPLICATIONS, LEASES, RENTALS, AND PAYMENTS

SECTION 1. The occupancy or use of a stand, space, or other privilege in or around Center Market will not be permitted until a lease, contract, or permit is made or granted by the Secretary or his duly authorized representative.

SEC. 2. No lease for the use or occupancy of any stand, stall, or space in Center Market, will be executed until a written application is filed with the superintendent. Forms prescribed for that purpose may be obtained from the superintendent.

SEC. 3. The application for lease shall be written in English, shall state truly the information contained therein, and shall be subscribed and sworn to by the applicant.

SEC. 4. The application shall state and contain the following: (a) The name and business and home address of the applicant. (b) If a partnership, the name and business address of each partner and his respective financial interest in the partnership. (c) If a corporation, its name and business address, where incorporated, and the names and addresses of its officers and directors. (d) A statement showing financial resources and how much the assets exceed the total liabilities. (e) A statement of experience, if any, in the business for which application is made. (f) Whether goods to be offered for sale are to be bought for cash, on credit, or to be handled on consignment. (g) Whether business to be conducted is wholesale, retail, or wholesale and retail. (h) The commodity or commodities to be offered for sale. (i) Whether the applicant is interested financially, directly or indirectly, in any other stand, stall, or privilege in Center Market, or whether any leaseholder, privilege holder, permittee, or any other person has or will have any financial interest, directly or indirectly, in the business which the applicant proposes to conduct in Center Market; and if so, the name of such person and his interest therein shall be stated. (j) An agreement to keep such accounts and records as will permit the submission to the superintendent of a report as and when he may require it, showing gross purchases or cost value of goods sold, gross sales, cost value of goods on hand, gross profit, expense, net profit, and a detailed statement of assets and liabilities, and to give access at any and all times to all accounts and records pertaining to the business conducted in Center Market to the Secretary or his duly authorized representative. (k) An agreement that the applicant will not enter into any understanding with any other lessee, permittee, or privilege holder (other than a person having a known substantial pecuniary interest in the business to be conducted by him in Center Market) for the establishment or maintenance of any price or prices at which any article shall be bought, offered for sale, or sold; that the applicant will not make or enter into any contract, agreement, or understanding with reference to purchase of any article under or through which he restricts his right to fix the resale price of such article; that the applicant will not make or enter into any contract, agreement, or understanding with any other lessee, permittee, or privilege holder, under or through which he would be bound not to buy from or sell to any other person; that the applicant will deal with the public impartially. (l) Whether the applicant is a citizen of the United States, and if not, whether naturalization has been applied for; and if so, the date and place of such application. (m) Business and personal references.

SEC. 5. The applicant shall at any time furnish such additional information as the Secretary or his duly authorized representative may require.

SEC. 6. No lease will be executed for a period longer than 12 months nor to extend beyond June 30 of any year.

SEC. 7. Application for the renewal of a lease, or extension thereof, shall be made to the superintendent in the manner and on the form prescribed by sections 3 and 4 hereof, and shall as to all leases made before June 1 of any year be filed with the superintendent not less than 30 days nor more than 60 days before the date of the expiration of the lease.

SEC. 8. The holder of a lease may terminate and abandon his lease at the end of any month after 30 days' written notice to the superintendent of his intention so to do, unless otherwise stipulated in the lease.

SEC. 9. The secretary may terminate a lease at the end of any month upon 30 days' written notice of his intention so to do, unless otherwise stipulated in the lease.

SEC. 10. No lease, contract, or permit, or any interest therein, shall be assigned, transferred, or sublet.

SEC. 11. No lease for a stand in Center Market will be issued to persons who are not citizens of the United States, or who have not filed naturalization papers at least one year prior to their application for a stand in Center Market.

SEC. 12. The holder of a lease shall secure the approval of the superintendent in advance of any change in his business affairs by which any person becomes directly or indirectly interested in the business conducted by him in Center Market.

SEC. 13. The willful failure on the part of any lessee to comply with any provision of the act or any regulation, or any willful misstatement of fact in his application for the lease, will be sufficient cause for the Secretary to terminate and cancel such lease.

SEC. 14. If at any time the Secretary is satisfied that any lessee or the holder of any privilege in Center Market is guilty of overcharging, extortion, profiteering, or making any unconscionable bargain or sale, he may without recourse to any judicial tribunal cause such person forthwith and summarily to be ejected therefrom, together with his goods and wares, except such portion thereof as may be held by the Secretary or his duly authorized representative, pending the payment of moneys owing to the Government by the lessee or privilege holder, and forever afterwards deny him the privilege of trading or being employed in Center Market in any capacity whatsoever.

SEC. 15. All payments arising from leases, contracts, permits, or privileges in Center Market shall be made in advance, at the office of the superintendent, except that the superintendent may extend the time for payment of storage charges in accordance with good business practices when in his judgment the interests of the United States will not be prejudiced thereby. No discount or rebate will be allowed except as provided for in the lease, contract, or permit. All bills are due when rendered.

SEC. 16. All charges for stands, storage, privileges, and miscellaneous services in Center Market will be established by the superintendent, except as they may be fixed by law, or determined by the Secretary.

SEC. 17. Stand holders in Center Market shall keep such accounts and records as will permit the submission to the superintendent of a report as and when he may require it, showing gross purchases or cost value of goods sold, gross sales, cost value of goods on hand, gross profit, expense, net profit, and a detailed statement of assets and liabilities and shall give access at any and all times to all accounts and records pertaining to the business conducted in Center Market to the Secretary or his authorized representative.

Regulation 5.—CLASSIFICATION

SECTION 1. The occupant of a stand or space in Center Market will be permitted to sell at his stand only those articles designated in his lease or permit unless it is proven to the satisfaction of the superintendent that modifications therein will be to the best interests of the administration of the market.

Regulation 6.—SANITATION

SECTION 1. Stand holders must keep their stands in a neat and sanitary condition satisfactory to the superintendent and display their articles attractively.

SEC. 2. Stand holders shall clean their stands daily inside and outside, including the floors of the stands, before leaving them.

SEC. 3. Each stand holder shall provide and keep in his stand receptacles of approved pattern and size, stenciled with his stand number, and shall deposit all garbage and rubbish therein.

SEC. 4. By the close of business each day all rubbish and garbage shall be removed by the stand holder and deposited in the large receptacles in the court, and he shall immediately clean his receptacles thoroughly at the place provided for that purpose and in the manner specified by the superintendent.

SEC. 5. No article in an unwholesome or offensive condition shall be kept, offered for sale, or sold in or about Center Market.

SEC. 6. Stand holders and their employees when working in the market shall wear either a full length white apron or coat, or white overalls and jacket, unless otherwise permitted by the superintendent. Care shall be taken to present a clean and respectable appearance during market hours. Hands and garments must be kept clean.

SEC. 7. Articles offered for sale shall be exposed in or on clean, attractive containers, trays, or counters, and every precaution taken to keep the goods offered for sale free from contact with dust, dirt, flies, or other contamination.

SEC. 8. Persons afflicted with any contagious or communicable disease shall not be employed or work in Center Market.

SEC. 9. Tools, implements, and equipment shall be cleaned thoroughly and to the satisfaction of the superintendent at the close of each day's business.

SEC. 10. Racks, hooks, trays, display counters, and all other equipment, shall be kept in a clean and attractive condition.

SEC. 11. Expecterating except in places especially provided therefor is prohibited.

SEC. 12. Bringing dogs and other live animals into the market is forbidden.

SEC. 13. Sausage shall not be sold or offered for sale in Center Market unless it has been inspected and passed under the provisions of the United States meat inspection act (34 Stat. 1236, 1260), and the rules and regulations

relating thereto, except that farmers may, as authorized by said act, sell without such inspection products of their own raising and preparation at spaces set aside for their use on B Street, between Seventh and Ninth Streets, provided that such products are sound, healthful, wholesome, and otherwise fit for human consumption. No meat or meat product brought into Center Market shall be processed or converted into any other product for general sale unless and until it has been inspected and passed by an inspector employed in the administration of Center Market.

SEC. 14. The sale, offering for sale, display, storing or keeping in Center Market of any article of food intended for human consumption which is filthy, decomposed, unsound, unwholesome, or unhealthful is prohibited. Any such article shall be disposed of promptly by the party in possession thereof as offal or commercial scrap, under the supervision of the superintendent, and shall be removed promptly from the market. If such article is not so disposed of and removed, the superintendent may cause the same to be destroyed. In the event that any article of food is disposed of as offal or scrap under the supervision of the superintendent or on failure to make such disposition, is destroyed by the superintendent, a certificate showing such disposition shall be issued by the superintendent on request of the party who had possession of the article.

SEC. 15. When necessary, the superintendent or his authorized representative may attach a "U. S. Sanitary" tag to any equipment, utensil, or stand in Center Market, which is not in a clean and sanitary condition. No equipment, utensil, or stand so tagged shall again be used until placed in a condition satisfactory to the superintendent or his representative. Such tag so placed shall not be removed by anyone other than the superintendent or his representative.

SEC. 16. The killing of poultry, birds, or game, in or at Center Market, is prohibited.

Regulation 7.—PERSONAL CONDUCT

SECTION 1. Disorderly conduct of any character, loud or boisterous noises, will not be allowed in Center Market.

SEC. 2. Idling, lounging, peddling, and soliciting will not be allowed in Center Market.

SEC. 3. The crying or hawking of articles for sale in Center Market is forbidden.

SEC. 4. Canvassing or distributing of handbills or other circulars is forbidden.

SEC. 5. Persons who are disorderly, intoxicated, or afflicted with loathsome and contagious disease will not be allowed in Center Market.

SEC. 6. Smoking in any of the cold storage rooms or passageways leading thereto and on freight elevators is dangerous and is prohibited. Smoking and other use of tobacco by stand holders and their employees when behind their stands during market hours or while serving the public is prohibited.

SEC. 7. Unbecoming comment of any sort concerning women, including whistling or any other means to attract attention, is forbidden.

SEC. 8. Profanity and obscene conversation is prohibited.

Regulation 8.—COLD STORAGE

SECTION 1. The storer may be required to furnish at or prior to delivery of goods for storage a manifest showing marks, brands, or sizes to be kept and accounted for separately.

Unless otherwise instructed, goods will be stored in bulk or in lots at the discretion of the superintendent.

The word "lot" as used herein means a particular lot of goods to which a separate lot number is given when received at the warehouse. Delivery of the whole or any part of such lots shall be made without subsequent sorting, except by special arrangement whereby an extra charge shall be made as provided by section 12.

SEC. 2. Written orders signed in writing by the storer, identifying the goods, may be required before delivery will be made. Goods must be ordered out by lot numbers, if lot numbers have been assigned.

Delivery upon presentation of the original nonnegotiable storage receipt will be deemed delivery to the storer or his authorized agent. Delivery means delivery at the warehouse door.

SEC. 3. The superintendent will not contract for storage space in advance of the receipt of the goods unless the goods to be stored are in transit to the warehouse.

SEC. 4. No lot will be accepted for storage for less than the monthly rate and the charge therefor shall date from the receipt of the goods. No storage charge shall be for less than 50 cents for the first month and 25 cents for each succeeding month. The initial cooling or freezing is included in the first month's storage charge. When the expiring day falls on Sunday or a legal holiday, the next business day will be the expiring day.

SEC. 5. When goods in storage are transferred on the books from one party to another, the storage rate and the expiration date will remain the same as if no transfer had been made, unless such transfer involves rehandling of the goods when a charge will be made as provided in section 12.

SEC. 6. When rates are quoted by weight, they shall be computed on net weight and two thousand (2,000) pounds shall constitute a ton.

SEC. 7. Storage rates do not include insurance, cartage, or drayage. Reasonable effort will be made to obtain efficient cartage to or from the warehouse whenever such arrangements are necessary at the prevailing rates for such service. Demurrage will not be absorbed, but reasonable diligence will be used to unload cars promptly.

SEC. 8. If storage bills are not paid when due, the superintendent is authorized, after giving 10 days' written notice to the owner of record thereof, to sell such part thereof as may be necessary at private or public sale as he may determine to pay such storage charges together with the cost of such sale, returning the balance to the owner.

SEC. 9. The storer or his workmen will not be allowed to work or have access to goods in storage unless accompanied by a regular warehouse employee of Center Market, whose time will be charged as provided in section 12. The warehouse employee will, if requested, assist in the work to be done.

SEC. 10. Whenever special warehouse space, service, or material of any sort is supplied, a fair charge will be made therefor.

SEC. 11. If freight and other cash items are advanced for the benefit of a customer they are payable on demand, subject to interest charges, and such advances will not be made except upon uninspected and accepted goods.

SEC. 12. The following charges per man-hour will be assessed for extra labor furnished by superintendent: Common labor, 75 cents; clerical labor, \$1; minimum charge, 50 cents.

SEC. 13. A charge will be made for skilled labor according to the service rendered.

SEC. 14. Stock statements furnished by the customer will be checked with the books of the superintendent without charge. If compiled by the superintendent charge will be made as provided in section 12. Warehouse checking or stock taking will be charged as provided in section 12.

SEC. 15. When goods are handled in storage for weighing, sampling, inspection, or other convenience of the customer, a charge will be made as provided in section 12.

SEC. 16. Rates for storage privileges may be obtained upon application to the superintendent.

SEC. 17. The right to move goods from one room to another is reserved.

SEC. 18. When a storage receipt is lost or destroyed, goods will not be delivered until the storer executes a release or bond of indemnity, or both, as may be required by the superintendent. Unless notice in writing of the loss of a nonnegotiable storage receipt has been delivered to the superintendent at least 24 hours in advance of any subsequent deliveries thereon, no liability shall attach to the superintendent because of such delivery. If only part of the goods covered by the original receipt is withdrawn by the storer, the balance will be treated as a new lot and a new receipt will be issued therefor.

SEC. 19. In accepting goods from truckmen or carriers, they are receipted for only in such condition as is apparent, and no responsibility is assumed for concealed bad order or for damage that may result therefrom, nor for discrepancies between actual and marked contents of packages, nor for leakage or shrinkage.

SEC. 20. The right to reject goods unsuitable for storage is reserved.

Regulation 9.—FARMERS' MARKET

SECTION 1. The use of any space designated by the superintendent for market purposes on B Street between Seventh and Ninth Streets without a permit is prohibited. Permits may be obtained from the watchman.

SEC. 2. The use of sidewalk, pavement, or wall space on B Street by persons who are not bona fide farmers is prohibited.

SEC. 3. The sale or offering for sale of any article not actually produced on the farm by the permittee is forbidden, except that permittees may purchase from or market for their neighbor farmers articles produced by them on their farms.

SEC. 4. Rates charged for space on B street will be as prescribed by law. Payments will be made in cash at the time the permit is delivered.

SEC. 5. No curb space assigned shall exceed 7 feet in width.

SEC. 6. Adequate passageway between the wall spaces and curb spaces for the use of the public must be maintained at all times.

SEC. 7. The superintendent is authorized to require any permittee to refund the purchase price of any article or articles to a customer whenever it appears that such permittee in such transaction has misled or deceived the customer in any manner whatsoever, provided complaint is made by the customer to the superintendent on the day of such transaction.

SEC. 8. The permittee will not sell or keep for sale live stock within the space covered by his permit.

SEC. 9. The willful failure on the part of any permittee to comply with the provisions of the act and the regulations will forfeit his permit, and thereafter the superintendent may refuse to grant such person another permit to do business in connection with Center Market.

SEC. 10. Permits are issued subject to the regulations and the same are made a part thereof.

Regulation 10.—MISCELLANEOUS

SECTION 1. No person will be permitted to occupy more space than is allotted to him.

SEC. 2. Alterations or additions to stands, telephones, or electrical connections, without the approval of the superintendent, are prohibited.

SEC. 3. The obstruction of the aisles in, or doorways, passageways, alleys, and approaches to Center Market is prohibited except in such manner and to such extent as the superintendent may permit.

SEC. 4. Vehicles will not be allowed in the market grounds longer than necessary to unload or load except by special permit from the superintendent.

SEC. 5. Trucks or conveyors shall be pulled and not pushed through the doors of the market.

SEC. 6. The use of trucks, wheelbarrows, or other conveyors in the aisles of the market or on the sidewalks adjoining thereto which will obstruct free passage in the aisles and on the sidewalks during market hours is forbidden, except that stand holders will be permitted to use trucks approved by the superintendent for transporting goods to and from the cold-storage rooms before 7.00 a. m. and after 1.00 p. m. daily.

SEC. 7. When trucks or other conveyors are not in use they shall be kept at the owner's risk at locations prescribed by the superintendent.

SEC. 8. Admittance to the engine and boiler rooms is forbidden to everyone except the holders of special permits from the superintendent.

SEC. 9. Tampering with meters, fixtures, and electrical devices is prohibited.

SEC. 10. No person will be allowed access to the cold storage rooms except under such rules and conditions as may be prescribed by the superintendent. Passenger elevators will be used for passenger carrying purposes only.

SEC. 11. The operation of elevators in Center Market by any person not authorized to do so by the superintendent is forbidden.

SEC. 12. All damages to Government property due to negligence of any lessee, permittee, or privilege holder, or his employee, will be repaired by or under the direction of the superintendent and the cost thereof paid by such lessee, permittee, or privilege holder as directed by the superintendent.

SEC. 13. Signs and placards shall be displayed subject to the approval of the superintendent.

SEC. 14. All counters and fixtures used in Center Market are subject to the approval of the superintendent.

SEC. 15. Stand holders shall not arrange any article in such a manner as to deceive the public as to the real character of the article.

SEC. 16. Employees in the United States Department of Agriculture in Center Market will be governed by such necessary rules and conditions as are in force and effect upon the taking over of the property by the secretary until notice of change or modification thereof is received from the secretary or his authorized representative.